

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED - SHREVEPORT

MAR 14 2007 A COMPLAINT UNDER THE CIVIL RIGHTS ACT,
42 U.S.C. § 1983

ROBERT H. SHEM WELL, CLERK
BY PC DEPUTY

2:07-cv-387-WKW

UNITED STATES DISTRICT COURT
Western DISTRICT OF LOUISIANA

Ronnie Richardson

Ala.
AJS #142585

Inmate (DOC) number

(Enter above the full name of each plaintiff in this action)

**5:07cv0514 SEC P
JUDGE HICKS
MAG. JUDGE HORNSBY**

VERSUS

State of Alabama et.al.
Montgomery County Circuit Court
Judge Tracy McCool and D.A. Eleanor Brooks
Tray King, attorney general,
(Enter above the full name of each defendant in this action.)

**Instructions for Filing Complaint by Prisoners
Under the Civil Rights Act, 42 U.S.C. § 1983.**

This packet includes two copies of a complaint form and one copy of the pauper affidavit.

IF YOU ARE A PARISH PRISONER, you must file an original and one copy of your complaint for each defendant you name. For example, if you name two defendants, you must file the original and two copies of the complaint. You should also keep an additional copy of the complaint for your own records.

IF YOU ARE A D.O.C. PRISONER, you must file an original and one copy of your complaint. If the defendants are still employed by the Department of Public Safety and Corrections, only one service copy is needed. Otherwise, you must supply a copy of the complaint and the service address for each defendant no longer employed by the Department of Public Safety and Corrections.

All copies of the complaint must be identical to the original.

The names of all parties must be listed in the caption and in part III of the complaint exactly the same.

In order for this complaint to be filed, it must be accompanied by the filing fee of \$120.00. In addition, the United States Marshal will require you to pay the cost of serving

the complaint on each of the defendants.

If you are unable to pre-pay the filing fee and service costs, you may petition the court to proceed in forma pauperis. For this purpose, a pauper affidavit is included in this packet. You must sign the affidavit, and obtain the signature of an authorized officer certifying the amount of money in your inmate account. If pauper status is granted, you will be required to pay an initial partial filing fee and thereafter, prison officials shall be ordered to forward monthly payments from your inmate account until the entire filing fee is paid.

You will note that you are required to give facts. THIS COMPLAINT SHOULD NOT CONTAIN LEGAL ARGUMENTS OR CITATIONS. ALSO, DO NOT INCLUDE EXHIBITS.

When you have completed these forms, mail the original and copies to the Clerk of the United States District Court for the District you are filing in. For example: Clerk of Court, Middle District of Louisiana, P.O. Box 2630, Baton Rouge, La. 70821.

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No (X)

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiff(s): N/A

Defendant(s): N/A

2. Court (if federal court, name the district; if state court, name the parish):

N/A

3. Docket number:

N/A

4. Name of judge to whom case was assigned:

N/A

5. Disposition (for example: Was case dismissed? Was it appealed? Is it still pending?):

N/A

6. Date of filing lawsuit: N/A

7. Date of Disposition: N/A

C. Have you had any previously filed federal lawsuits or appeals, whether or not related to the issues raised in this complaint, dismissed by any federal court as frivolous, malicious, or for failure to state a claim for which relief can be granted? Yes () No (✓)

If your answer is yes, list the civil action numbers and the disposition of each case. You must identify in which federal district or appellate court the action was brought. N/A

II. Place of confinement: West Carroll Detention Center, Epps, La. 71237

A. Is there a prisoner grievance procedure in this institution? Yes () No (✓)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes () No (✓)

C. If your answer is Yes:

1. Identify the administrative grievance procedure number(s) in which the claims raised in this complaint were addressed. None available for Ala.
D.O.C. inmates

2. What steps did you take? N/A

3. What was the result? N/A

D. If your answer is No, explain why not: None available or in place
for Ala. inmates.

III. Parties

(In Item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff(s) Ronnie Richardson
 Address
W.C.D.C. 180 Capital Bank Dr. Epps La. 71237 dorm A-1

In Item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item C for the names, positions, and places of employment of any additional defendants.

B. Defendant State of Ala. District attorney Eleanor Brooks is employed as District attorney at Montgomery County Circuit Court, Montgomery, Ala., Courthouse, P.O. Box 1667 Montgomery, Ala. 36102-1667

C. Additional Defendants: Circuit Judge, Tracy McCooey, Montgomery Ala.
Circuit Court Judge, P.O. Box 1667, Montgomery Courthouse, Montgomery
Alabama, 36102-1667.
For The State of Alabama, Troy King, attorney general,

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

District attorney Eleanor Brooks charged petitioner with violating the Ala. Community Notification Act, retroactively applied to a 1985 conviction. Circuit Judge Tracey McCooey sentenced petitioner to a "new 10yr. sentence without elements of a crime being committed. Petitioner was convicted in 1985 for a "sex offense". Parole in 1997 and registering yearly in December. Due to intervening change in law, the attorney general opted to amend Community Notification Act. The district attorney Eleanor Brooks charged petitioner with violating "new law" and subsequently arrested this petitioner in September 2003, three months prior to the lawful annual date for registration. Judge McCooey imposed a "Ten Year" sentence for a crime never committed and imprisoned an actually innocent man.

V. Relief Petitioner requests a full and fair hearing in the matter and cause. To appoint adequate legal counsel.

IV Statement of Claim:

Attorney general, Troy King knew or should have known that, retroactively amending the Ala. Community Notification Act, to include and make liable to punishment, persons whom had been convicted prior would be unconstitutional. Troy King knew or should have known as chief legal officer, and administrator of law, in writings of the Alabama Criminal Code /3A, that a test for constitutionality was mandatory, and if was not carried out, that the State prosecutors would illegally use the "Notification Act" and charge persons "not liable" to the "Act" or legally punishable to the offense.* The Community Notification Act was applied to a 1985 conviction, and an arrest was authorized in September of 2003 for a man whom was required to register in December, the month of his birth as the law required. Petitioner states he has been "shipped" to Louisiana to "break" jurisdiction of the court whom imposed sentence. The physical custody of Ronnie Richardson is in Louisiana, West Carroll Parish and the very laws of Alabama prevent relief from imprisonment. The transfer of Petitioner should be considered by this Most Honorable Higher U.S Court, and the recent ruling of U.S. District Court (San Francisco) California. The Petitioner is a victim of unconstitutional circumstances and represents illegal acts of bias and prejudice in regards to the Alabama State Courts and interest of the state in other Courts located in Alabama. The Petitioner respectfully request "Leave to Stay" in U.S. District Court of Louisiana for the reasons and rationale subject matter concerning fundamental fairness rule. Alabama Convicted illegally and sentenced illegally an innocent man. The fairness lies in an unbiased Louisiana U.S. District Court to adjudicate this case of misapplication of State Statute. No crime has been committed and the Petitioner is being punished twice for the same offense by law promulgated and enacted after the offense.

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. Attach no exhibits. furthermore stated,
to overturn conviction and suspend sentence with declaration from this
Court of, "illegal sentence" brought by "unconstitutional conviction pursuant
intervening change in law, Alabama Community Notification Act. Misapplication
of State Statute. To free Ronnie Richardson, and award money damages for mental anguish
Pain and suffering and award of one million, 500 ; Thousand dollars, with exsangued record,
VI. Plaintiff's Declaration (1,500,000)

1. I understand that I am prohibited from bringing a civil action in forma pauperis if, while I was incarcerated or detained in any facility, I have brought three or more civil actions or appeals in a court of the United States that were dismissed on the grounds that they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.
2. I understand that even if I am allowed to proceed in forma pauperis, I am responsible for paying the entire filing fee, and any cost assessed by the Court, which, after payment of the partial initial filing fee, shall be deducted from my inmate account by my custodian in installment payments as prescribed by law.
3. I understand that if I am released or transferred, it is my responsibility to keep the Court informed of my whereabouts and failure to do so may result in this action being dismissed with prejudice.

Signed this 8th day of March, 2007.



Signature of plaintiff(s)

UNITED STATES DISTRICT COURT

Western DISTRICT OF LOUISIANA

Connie Richardson #142583
West Carroll Detention Center
180 Capital Banks Drive

EPPS, Louisiana 71237



0.00



U.S. POSTAGE
PAID
EPPS, LA
71237
MAR 13 07
AMOUNT
\$0.00
00055075-02



CLERK United States District Court
Western District of Louisiana
United States Courthouse
Shreveport, Louisiana 71101-3000

LEGAL MAIL

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Ronnie Richardson #142585

(b) County of Residence of First Listed Plaintiff
 (EXCEPT IN U.S. PLAINTIFF CASES)

W. Carroll

(c) Attorney's (Firm Name, Address, and Telephone Number)
*180 Capital Bank Dr.
 Epps, LA 71231*

DEFENDANTS *State of Alabama; Montgomery County Circuit Court; Tracy McCooey; Eleam Brooks; Troy King*

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity
(Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | Citizen of This State | PTF | DEF | PTF | DEF |
|----------------------------|----------------------------|---|----------------------------|----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 850 Securities/Commodities/ Exchange	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 860 Occupational Safety/Health	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	Habeas Corpus:	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- | | | | | | | |
|---|---|--|---|--|---|--|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from another district (specify) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment |
|---|---|--|---|--|---|--|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

42:1983 PR

VI. CAUSE OF ACTION

CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY):

BRIEF DESCRIPTION OF CAUSE:

1500 000

CHECK YES ONLY IF DEMANDED IN COMPLAINT:
 JURY DEMAND: Yes No

VII. REQUESTED IN COMPLAINT:

(See instructions):

JUDGE

DEMAND \$

CHECK YES ONLY IF DEMANDED IN COMPLAINT:

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFFP JUDGE MAG. JUDGE